



Express Mail No.: ER220428482US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Serial Number: 10/768,996

Filing Date: January 30, 2004

Art Unit: 1632

Title: Novel oligonucleotides and related compounds

First named inventor: Suresh C. Srivastava

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF PROVISIONAL
APPLICATION DATED JUNE 17, 2004**

This response is filed within four months of the afore-referenced Notice to File Missing Parts, along with a two month petition for extension of time. It is therefore timely filed.

Applicant(s) hereby responds to the Notice to File Missing Parts by filing herewith:

- (a) A check made payable to the Assistant Commissioner for Patents in the amount of \$1584.00
- (b) A check for a two-month extension of time in the amount of \$215
- (c) Two declarations (signed by all three inventors)
- (d) A petition for extension of time
- (e) Replacement drawings (22 sheets)
- (f) A sequence listing (4 sheets)
- (g) The sequence listing in computer-readable format as required by 37 CFR 1.821 (2 copies)
- (h) The statement required pursuant to 37 CFR 1.821(f)
- (i) A preliminary amendment including an abstract

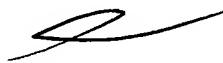
Applicant(s) thereby believe that he has complied with the requirements of Notice of Missing Parts.

Please do not hesitate to contact the undersigned if there are any matters that can be resolved by telephone.

Respectfully submitted,

Dated:

10/15/04


Inna Landsman, PTO Reg. No. 44337
Inna Shtivelband Landsman, P.C.
129 Rawson Rd.
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781.648.0375
ilandsman@sciencelawyer.com

Express Mail No.: ER220428482US



Mail Stop Missing Parts
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Re: Application Serial Number: 10/768,996
Filing Date: January 30, 2004
Art Unit: 1632
Title: Novel oligonucleotides and related compounds
First named inventor: Suresh C. Srivastava
Confirmation No.: 4523

Please find enclosed:

- (a) Response to Notice to File Missing Parts
- (b) Copy of Notice to File Missing Parts
- (c) A check made payable to the Assistant Commissioner for Patents in the amount of \$1584.00
- (d) Two declarations (signed by all three inventors)
- (e) A check for a two-month extension of time in the amount of \$215
- (f) A petition for extension of time
- (g) Replacement drawings (22 sheets)
- (h) A sequence listing (4 sheets)
- (i) The sequence listing in computer-readable format as required by 37 CFR 1.821 (two copies)
- (j) The statement required pursuant to 37 CFR 1.821(f)
- (k) A preliminary amendment including an abstract (13 pages).
- (l) A self-addressed return-receipt postcard.

Applicant(s) claim **small entity status** pursuant to 37 CFR 1.27.

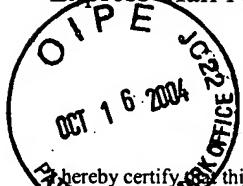
Please do not hesitate to contact the undersigned by telephone if there are any issues that can be resolved thereby.

Respectfully submitted,

Dated: 10/15/04


Inna Landsman, PTO Reg. No. 44337
Inna Shtivelband Landsman, P.C.
129 Rawson Rd.
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Express Mail No.: ER220428482US



CERTIFICATION UNDER 37 C.F.R. SECTION 1.10*
(Express Mail label number is mandatory.)
(Express Mail certification is optional.)

I hereby certify that this correspondence and the documents referred to as attached therein are being deposited with the United States Postal Service on 10/16/04 (date), in an envelope marked as "EXPRESS MAIL POST OFFICE TO ADDRESSEE" service under 37 C.F.R. Section 1.10, Mailing Label Number ER220428482US addressed to the MS Missing Parts, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.

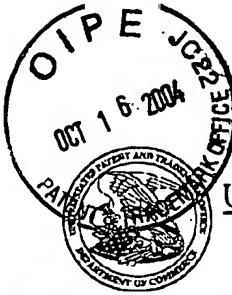
Inna Landsman
(type or print name of person mailing paper)


Signature of person mailing paper

WARNING: Certificate of mailing (first class) or facsimile transmission procedures of 37 C.F.R. Section 1.8 cannot be used to obtain a date of mailing or transmission for this correspondence.

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"Since the filing of correspondence under [Section] 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will not be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.



10-18-04

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IFW

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/768,996	01/30/2004	Srivastava	CHMG-10

CONFIRMATION NO. 4523

Inna Landsman
129 Rawson Road
Arlington, MA 02474

FORMALITIES LETTER



OC000000012984317

Date Mailed: 06/17/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

10/19/2004 GWORDD01 00000029 10768996

01 FC:2252 295.00 OP FILED UNDER 37 CFR 1.53(b)
02 FC:2201 220.00 OP
03 FC:2202 774.00 OP
04 FC:2203 150.00 OP *Filing Date Granted*
05 FC:2051 65.00 OP
06 FC:2001 375.00 OP

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
 - Numbers, letters, and reference characters on the drawings must measure at least 0.32 cm (1/8 inch) in height. See Figure(s) 5-12.
- An abstract of the technical disclosure not exceeding 150 words in length and commencing on a separate sheet in compliance with 37 CFR 1.72(b) is required. An abstract was not provided for this application.
- This application clearly fails to comply with the requirements of 37 CFR 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May

15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- **For Rules Interpretation, call (703) 308-4216**
- **To Purchase PatentIn Software, call (703) 306-2600**
- **For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov**

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$2268** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$3168** for a Large Entity

- **\$770** Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is **\$2268**
 - **\$430** for 5 independent claims over 3.
 - **\$1548** for 86 total claims over 20.
 - **\$290** for multiple dependent claim surcharge.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY